

<b>BOARD OF ASSESSMENT APPEALS, STATE OF COLORADO</b> 1313 Sherman Street, Room 315 Denver, Colorado 80203	
Petitioner:  <b>SUMMIT INVESTMENTS, INC. AND BRIALI, LLC.,</b>  v.  Respondent:  <b>GRAND COUNTY BOARD OF EQUALIZATION.</b>	
Attorney or Party Without Attorney for the Petitioner:  Name: Thomas E. Downey, Jr. Downey & Knickrehm Address: 733 East Eighth Avenue Denver, CO 80203 Phone Number: 303.813.1111	<b>Docket Number: 40964</b>
<b>ORDER ON STIPULATION</b>	

**THE PARTIES TO THIS ACTION** entered into a Stipulation, which has been approved by the Board of Assessment Appeals. A copy of the Stipulation is attached and incorporated as a part of this decision.

**FINDINGS OF FACT AND CONCLUSIONS:**

1. Subject property is described as follows:  
  
**County Schedule No.: R044600+8**  
  
**Category: Valuation           Property Type: Vacant Land**
2. Petitioner is protesting the 2002 actual value of the subject property.

3. The parties agreed that the 2002 actual value of the subject property should be reduced to:

[PLEASE REFERENCE ATTACHED STIPULATION]

4. The Board concurs with the Stipulation.

**ORDER:**

Respondent is ordered to reduce the 2002 actual value of the subject property, as set forth above.

The Grand County Assessor is directed to change his/her records accordingly.

**DATED/MAILED** this 1<sup>st</sup> day of September, 2004.

This decision was put on the record

August 31, 2004

**BOARD OF ASSESSMENT APPEALS**

*Karen E Hart*

Karen E. Hart

I hereby certify that this is a true and correct copy of the decision of the Board of Assessment Appeals

*Debra A. Baumbach*

Debra A. Baumbach

*Keela K. Steele*  
Keela K. Steele



**BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO**

Docket Number: 40964  
Single County Schedule Number: R044610

STIPULATION (As to Abatement/Refund for Tax Year 2002)

BRIALI, LLC

Petitioner,

vs.

GRAND COUNTY BOARD OF EQUALIZATION

Respondent.

STATE OF COLORADO  
BOARD OF ASSESSMENT APPEALS  
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Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2002 valuation of the subject property, and jointly move the Board of Assessment Appeals to enter its order based on this stipulation.

Petitioner(s) and Respondent agree and stipulate as follows:

1. The property subject to this stipulation is described as:  
SUMMIT AT WINTER PARK RANCH SUBDIVISION TRACT B .919AC

2. The subject property is classified as vacant land (what type of property).

3. The County Assessor originally assigned the following actual value to the subject property for tax year 2002 :

Land	\$	<u>160,830.00</u>
Improvements	\$	<u>.00</u>
Total	\$	<u>160,830.00</u>

4. After a timely appeal to the Board of Commissioners, the Board of Commissioners valued the subject property as follows:

Land	\$	<u>160,830.00</u>
Improvements	\$	<u>.00</u>
Total	\$	<u>160,830.00</u>

5. After further review and negotiation, Petitioner(s) and County Board of Commissioners agree to the following tax year 2002 actual value for the subject property:

Land	\$	<u>93,920</u>	.00
Improvements	\$	<u>          </u>	.00
Total	\$	<u>93,920</u>	.00

6. The valuation, as established above, shall be binding only with respect to tax year 2002.

7. Brief narrative as to why the reduction was made:  
A review of comparable sales indicates the above value is  
appropriate. This value represents market value as of  
June 30, 2000.  
\_\_\_\_\_  
\_\_\_\_\_

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on August 26, 2004 (date) at 8:30 a.m. (time) be vacated or a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 16th day of July, 2004

Thomas E Downey Jr.  
Petitioner(s) or Agent or Attorney

[Signature]  
County Attorney for Respondent,  
Board of Commissioners

TED

Address:  
Thomas E. Downey, Jr. #24686  
Downey & Knickrehm  
733 East Eighth Avenue  
Denver, CO 80203  
Telephone: \_\_\_\_\_

Address:  
Anthony J. DiCola  
P.O. Box 264  
Hot Sulphur Springs, CO 80451  
Telephone: 970-725-3315

[Signature]  
County Assessor

Address:  
Stu Findley  
P.O. Box 264  
Hot Sulphur Springs, CO 80451  
Telephone: 970-725-3347

Docket Number 40964

**BOARD OF ASSESSMENT APPEALS  
STATE OF COLORADO**

Docket Number: 40964  
Multiple County Schedule Numbers: (As Set Forth in the Attached)

STIPULATION (As to Abatement/Refund for Tax Year 2002)

SUMMIT INVESTMENTS, INC.

Petitioner

vs.

GRAND COUNTY BOARD OF ~~EQUALIZATION~~

Respondent

Petitioner(s) and Respondent hereby enter into this Stipulation regarding the tax year 2002 valuation of the subject property, and jointly move the Board of Assessment Appeals to enter its order based on this stipulation.

Petitioner(s) and Respondent agree and stipulate as follows:

1. The Properties subject to this Stipulation are described as set forth in the County Schedule Numbers on the Attachments to this Stipulation.
2. The subject properties are classified as vacant land (what type).
3. Attachment A reflects the actual values of the subject properties, as assigned by the Assessor for tax year 2002.
4. Attachment B reflects the actual values of the subject properties after a timely appeal, as assigned by the Board of Commissioners.
5. After further review and negotiation, the Petitioner(s) and Respondent agree to the tax year 2002 actual values of the subject properties, as shown on Attachment C.
6. The valuations, as established on Attachment C, shall be binding with respect to only tax year 2002.

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STATE OF COLORADO  
BOARD OF ASSESSMENT APPEALS

7. Brief narrative as to why the reduction was made:

A review of assessment procedures indicates the above value is appropriate. This value represents market value as of June 30, 2000.

8. Both parties agree that the hearing scheduled before the Board of Assessment Appeals on August 26, 2004 (date) at 8:30 a.m. (time) be vacated or a hearing has not yet been scheduled before the Board of Assessment Appeals.

DATED this 16th day of July, 2004

TED

Thomas E. Downey J  
Petitioner(s) or Agent or Attorney

August, [Signature]  
County Attorney for Respondent,  
Board of Commissioners

Address:  
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Stu Findley  
County Assessor

Address:  
Stu Findley  
P.O. Box 264  
Hot Sulphur Springs, CO 80451  
Telephone: 970-725-3347

Docket Number 40964

### ATTACHMENT A

Actual Values as assigned by the Assessor

Docket Number 40964

<u>Schedule Number</u>	<u>Land Value</u>	<u>Improvement Value</u>	<u>Total Actual Value</u>
R044600	\$ 315,420.00	\$ .00	\$ 315,420.00
R044620	<i>SWF</i> <i>TEJ</i> \$ 380,630.00	\$ .00	<i>SWF</i> \$ 380,630.00
R044640	\$ 389,970.00	\$ .00	\$ 389,970.00
R044650	\$ 681,870.00	\$ .00	\$ 681,870.00
R044660	\$ 354,150.00	\$ .00	\$ 354,150.00
R044670	\$ 395,750.00	\$ .00	\$ 395,750.00
R044680	\$ 516,600.00	\$ .00	\$ 516,600.00
R044690	\$ 443,310.00	\$ .00	\$ 443,310.00
	\$ .00	\$ .00	\$ 0.00
	\$ .00	\$ .00	\$ 0.00
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	\$ .00	\$ .00	\$ 0.00
	\$ .00	\$ .00	\$ 0.00
<b>TOTAL:</b>	<i>SWF</i> <i>TEJ</i> \$ 3,477,700.00	\$ 0.00	<i>SWF</i> \$ 3,477,700.00

*TEJ*

*TEJ*

### ATTACHMENT B

Actual Values as assigned by the County Board of Commissioners after a timely appeal

Docket Number 40964

<u>Schedule Number</u>	<u>Land Value</u>	<u>Improvement Value</u>	<u>Total Actual Value</u>
<i>SWF</i> <i>TD</i> R044600	\$ 315,420.00	\$ .00	\$ 315,420.00
<i>SWF</i> <i>TD</i> R044620	\$ 380,630.00	\$ .00	\$ <i>SWF</i> 380,630.00 <i>TD</i>
R044640	\$ 389,970.00	\$ .00	\$ 389,970.00
R044650	\$ 681,870.00	\$ .00	\$ 681,870.00
R044660	\$ 354,150.00	\$ .00	\$ 354,150.00
R044670	\$ 395,750.00	\$ .00	\$ 395,750.00
R044680	\$ 516,600.00	\$ .00	\$ 516,600.00
R044690	\$ 443,310.00	\$ .00	\$ 443,310.00
	\$ .00	\$ .00	\$ 0.00
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	\$ .00	\$ .00	\$ 0.00
<b>TOTAL:</b>	<i>SWF</i> <i>TD</i> \$ 3,477,700.00	\$ 0.00	\$ <i>SWF</i> 3,477,700.00 <i>TD</i>



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Assessor

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### ATTACHMENT C Actual Values as agreed to by all Parties

Docket Number 40964

*SWF  
TD*

<u>Schedule Number</u>	<u>Land Value</u>	<u>Improvement Value</u>	<u>Total Actual Value</u>
R044600	\$ 184,210.00	\$ .00	\$ 184,210.00
R044620	\$ 222,290.00	\$ .00	\$ 222,290.00
R044640	\$ 227,740.00	\$ .00	\$ 227,740.00
R044650	\$ 398,210.00	\$ .00	\$ 398,210.00
R044660	\$ 206,820.00	\$ .00	\$ 206,820.00
R044670	\$ 231,120.00	\$ .00	\$ 231,120.00
R044680	\$ 301,690.00	\$ .00	\$ 301,690.00
R044690	\$ 258,890.00	\$ .00	\$ 258,890.00
	\$ .00	\$ .00	\$ 0.00
	\$ .00	\$ .00	\$ 0.00
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	\$ .00	\$ .00	\$ 0.00
	\$ .00	\$ .00	\$ 0.00
	\$ .00	\$ .00	\$ 0.00
	\$ .00	\$ .00	\$ 0.00
	\$ .00	\$ .00	\$ 0.00
<b>TOTAL:</b>	<b>\$ 2,030,970.00</b>	<b>\$ 0.00</b>	<b>\$ 2,030,970.00</b>